

Amendment
Serial No. 10/781,006

Docket 5000-1-506

REMARKS

Entry of this Amendment, reconsideration of all grounds of rejection and allowance of all the pending claims are respectfully requested in light of the above amendments and the following remarks. Claims 1-3, 5-13, 15 and 17-18 remain pending herein. Claims 14 and 16 have been canceled without prejudice or disclaimer, and their subject matter incorporated into claim 1. Claims 15 and 17 have been amended to depend from claim 1.

At the outset, Applicant notes with appreciation the indication in the Final Office Action that claims 16-17 recite allowable subject matter. Applicant respectfully submits that the incorporation of the subject matter of allowable claim 16 and the amendments to claims 15 and 17 to now depend from amended claim 1 places all of the pending claims in condition for allowance.

Claims 1, 9-13 and 18 stand rejected under 35 USC § 103(a) as being unpatentable over Yamamoto *et al.* (US 5,930,015) ("Yamamoto") in view of Lee *et al.* (U.S. Patent Publication 2001/0004290 A1, hereinafter "Lee"), with further reference to Ramaswami *et al.*, (*Optical Networks: A Practical Perspective*, 2nd Edition), hereinafter "Ramaswami"). Claims 2-3 stand rejected under 35 U.S.C. § 103(a) over Yamamoto in view of Lee as applied to the claims above, and further in view of Jung *et al.* (*Spectrum-sliced bidirectional WDM PON*"), Korea Advanced Institute of Science and Technology, hereinafter "Jung"). Claims 5-8 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Yamamoto in view of Lee and Jung, and further in view of Iannone *et al.* (U.S. 6,147,784) ("Iannone"). Claims 14-15 stand rejected under 35 U.S.C. § 103(a) as

Amendment
Serial No. 10/781,006

Docket 5000-1-506

allegedly being unpatentable over Yamamoto in view of Lee and Jung as applied to the claims above, and further in view of Ramaswami.

Applicant respectfully submits that the amendment to claim 1 incorporating the allowable subject matter of claim 16 renders moot all grounds of rejection.


For all the foregoing reasons, it is respectfully submitted that all grounds of rejection in the Office Action are overcome. A Notice of Allowance is respectfully requested.

Should the Examiner deem that there are any issues which may be best resolved by telephone communication, please contact Applicant's undersigned Attorney at the number listed below.

In the event that any additional fee is required to continue the prosecution of this Application as requested, please charge such fee to Deposit Account No. 502-470.

Respectfully submitted,

CHA & REITER, LLC


By: Steve Cha
Attorney for Applicant
Registration No. 44,069

Date: April 29, 2008

Mail all correspondence to:

Steve Cha, Registration No. 44,069
CHA & REITER, LLC
210 Route 4 East, #103
Paramus, NJ 07652
Tel: 201-226-9245